

Expansion of Service Station at 289 - 291 Turton Road, New Lambton

Proposal Title : Expansion of Service Station at 289 - 291 Turton Road, New Lambton

Proposal Summary : The proposal intends to amend Newcastle LEP 2012 in order to enable the redevelopment and extension of an existing service station use on land at 289 - 291 Turton Road, New Lambton.

The site is currently zoned R2 Low Density Residential. As 'service stations' are prohibited in this zone, it is proposed to enable expansion of the current service station onto the adjoining lot through an additional permitted use provision.

PP Number : PP_2013_NEWCA_002_00

Dop File No :

13/06223

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **6.3 Site Specific Provisions**

Additional Information : The Planning Proposal should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW - Roads and Maritime Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : The proposal intends to allow for the redevelopment and expansion of a service station. Implementing the proposal through an additional permitted use is supported in this instance, as Council intends to zone the area appropriately after consideration of its local planning strategy in late 2013.

Panel Recommendation

Expansion of Service Station at 289 - 291 Turton Road, New Lambton

Recommendation Date : **24-Apr-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to consider permitting service stations over the entire Lot 6 DP 18086 to cater for the future expansion of the existing service station. If this approach is supported, Council is to amend the planning proposal to apply to the entire Lot 6 DP 18086 prior to proceeding to public exhibition.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

3. Consultation is required with the Roads and Maritime Services (RMS) under section 56(2)(d) of the EP&A Act. RMS is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

DANVA KEARY

Date:

29/4/13